

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
WINCHESTER DIVISION**

JAMES D. MCCONNELL,

Plaintiff,

v.

U.S. DEPARTMENT OF AGRICULTURE;
THOMAS JAMES VILSACK, in his official
capacity as the Secretary of Agriculture; KEVIN
SHEA, in his official capacity as Administrator of
the Animal and Plant Health Inspection Service

Defendants.

No. 4:23-cv-00024-TRM-SKL

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff James "Jimmy" Dale McConnell gives notice of his voluntary dismissal of this case. Mr. McConnell brought this action to raise his constitutional challenges to the structure of the U.S. Department of Agriculture adjudication process in which he was defending himself against allegations that he violated the Horse Protection Act (HPA Docket Nos. 16-0169 and 17-0207) ("USDA Adjudication"). Mr. McConnell has now settled the USDA Adjudication and that proceeding has concluded. Defendants U.S. Department of Agriculture, Secretary Thomas Vilsack, and Administrator Kevin Shea have neither answered nor moved for summary judgment. As a result, Mr. McConnell is voluntarily dismissing this action without prejudice.

DATED: November 2, 2023

Respectfully submitted,

/s/ Joshua M. Robbins
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CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2023, I submitted the foregoing to the Clerk of the Court via the District Court's CM/ECF system, which will send notice of this submission to all counsel of record.

/s/ Joshua M. Robbins
JOSHUA M. ROBBINS*